## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerard HAYES et al

Serial No.: 10/517,993

Filed: 05/11/05

Title: ANTI-SMOKING DEVICE

Group Art Unit:3751

Examiner: Douglas, Steven D. Attorney Docket No.:TOMK:015

Confirmation No. 7267

COMMISSIONER FOR PATENTS P.O. Box 1450 ALEXANDRIA, VA 22313-1450

## **EFS WEB FILING**

## PETITION FOR EXTENSION OF TIME

In response to the Office Action dated April 22, 2008, applicants have filed a Notice of Appeal concurrent herewith. The response period having expired on July 22, 2008, applicants hereby petition for a three month extension of time. Applicants have paid the extension fee (Small Entity) through the electronic filing system. In the event the fee was not properly paid or received by the PTO, the Commissioner is authorized to charge the fee to Deposit Account 18-2056.

Respectfully submitted,

Date: 22 October 2008

/Marc A. Rossi/ Marc A. Rossi, Esq.

Reg. No. 31,923

ROSSI, KIMMS & McDOWELL, LLP P.O. Box 826

Ashburn, VA 20146 703-726-6020